

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 294-08

AN ORDINANCE

declaring the need to acquire easements for construction of the County House Branch Trail project from the Twin Lakes Recreation Area to Stadium Boulevard; authorizing acquisition by negotiation or, if necessary, by condemnation; authorizing the City Manager to obtain and execute all instruments necessary for acquisition of such land; and fixing the time when this ordinance shall become effective.

WHEREAS, the Constitution and Statutes of the State of Missouri and the Home Rule Charter for the City of Columbia, Missouri, authorize the City Council to exercise the power of eminent domain, within or without the City, and among other things, to acquire, and maintain any property, real or personal within or without the City for all public uses or purposes, and to acquire, receive and hold any estate or interest in any such property; and

WHEREAS, the Council deems it necessary for the welfare and improvement of the City and in the public interest that certain private property be acquired by negotiation or by condemnation for public improvement.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council hereby declares the need to acquire easements for construction of the County House Branch Trail project from the Twin Lakes Recreation Area to Stadium Boulevard as follows:

COLUMBIA LUTHERAN ASSOCIATION OF SCHOOLS
COUNTY HOUSE BRANCH TRAIL EASEMENT
LOT 201, MADISON PARK PLAT 2 & VAC. ROAD R.O.W.
BOOK 3029, PAGE 56
PARCEL NO. 16-516-00-10-030.00 01

A STRIP OF LAND THIRTY (30) FEET WIDE ACROSS PART OF THE TRACT DESCRIBED THE WARRANTY DEED RECORDED IN BOOK 3029, PAGE 56, BEING ACROSS PART OF LOT 201, MADISON PARK PLAT 2 AS RECORDED IN PLAT BOOK 39, PAGE 104, LOCATED IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI,

BEING FIFTEEN (15) FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 201, MADISON PARK PLAT 2; THENCE WITH THE NORTH LINE OF SAID LOT 201, N72°56'00"W, 18.12 FEET; THENCE N75°52'40"W, 171.67 FEET; THENCE N77°53'30"W, 15.95 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, LEAVING SAID NORTH LINE, S7°45'40"E, 191.67 FEET; THENCE S30°50'15"W, 223.86 FEET; THENCE S23°12'20"W, 122.66 FEET; THENCE 45.67 FEET ALONG A 30.00 FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, S20°24'00"E, 41.39 FEET; THENCE S64°00'15"E, 33.21 FEET; THENCE 23.11 FEET ALONG A 15.00 FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S19°52'30"E, 20.89 FEET; THENCE S24°15'15"W, 74.41 FEET; THENCE S46°38'15"W, 156.49 FEET; THENCE S22°31'45"W, 123.09 FEET; THENCE S6°04'20"W, 25.69 FEET; THENCE 36.91 FEET ALONG A 30.00 FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S41°19'00"W, 34.63 FEET; THENCE S76°33'45"W, 136.66 FEET; THENCE S83°18'05"W, 49.51 FEET; THENCE 51.40 FEET ALONG A 30.00 FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, N47°37'00"W, 45.34 FEET; THENCE N1°27'50"E, 64.99 FEET; THENCE N18°46'35"E, 94.97 FEET; THENCE N9°51'35"W, 49.37 FEET; THENCE N23°37'25"W, 95.78 FEET; THENCE 18.68 FEET ALONG A 15.00 FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N59°18'05"W, 17.50 FEET; THENCE S85°01'15"W, 9.15 FEET TO THE WEST LINE OF SAID LOT 201, THE END OF THE DESCRIBED CENTER LINE, BEING S1°35'00"W, 622.67 FEET FROM THE NORTHWEST CORNER OF SAID LOT 1, SAID STRIP CONTAINS 1.12 ACRES, INCLUDING 6,736 SQUARE FEET OF EXISTING UTILITY EASEMENT.

RIDGEFIELD PARK ASSOCIATION
COUNTY HOUSE BRANCH TRAIL EASEMENT
SUR 392-87
BOOK 390, PAGE 656
PARCEL NO. 16-515-00-00-001.00 01

A STRIP OF LAND THIRTY (30) FEET WIDE ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 390, PAGE 656, AND BEING ACROSS PART OF THE SURVEY RECORDED IN BOOK 392, PAGE 87, LOCATED IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING FIFTEEN (15) FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 201, MADISON PARK PLAT 2; THENCE WITH THE WEST LINE OF SAID LOT 201, S1°35'00"W, 622.67 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, LEAVING SAID WEST LINE, S85°01'15"W, 26.55 FEET; THENCE 13.26 FEET ALONG A 15.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, S59°41'50"W, 12.83 FEET; THENCE S34°22'30"W, 105.83 FEET; THENCE S17°16'55"W, 180.06 FEET; THENCE S60°13'10"W, 249.10 FEET; THENCE S73°43'25"W, 97.47 FEET; THENCE S81°14'35"W, 100.57 FEET; THENCE S73°44'35"W, 98.23 FEET; THENCE S67°45'05"W, 228.79 FEET TO THE EAST LINE OF LOT 25, ROCK VALLEY PLAT 1 AS RECORDED IN BOOK 29, PAGE 2, THE END OF THE DESCRIBED CENTERLINE, BEING N1°31'55"E, 60.90 FEET FROM THE EASTERNMOST CORNER OF SAID ROCK VALLEY PLAT 1, SAID STRIP CONTAINS 0.76 ACRES.

GREGORY L. & LINDA M. BARTELS,
COUNTY HOUSE BRANCH TRAIL EASEMENT
LOT 25, ROCK VALLEY PLAT 1
BOOK 1031, PAGE 516
PARCEL NO. 16-515-00-06-006.00 01

A STRIP OF LAND THIRTY (30) FEET WIDE ACROSS PART OF THE TRACT DESCRIBED BY THE TRUSTEE'S DEED RECORDED IN BOOK 1031, PAGE 516 AND BEING ACROSS PART OF LOT 25, ROCK VALLEY PLAT 1 AS RECORDED IN PLAT BOOK 29, PAGE 2, LOCATED IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING FIFTEEN (15) FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, WESTWOOD HILLS SUBDIVISION NO. 8 AS RECORDED IN PLAT BOOK 10, PAGE 25; THENCE WITH THE EAST LINE OF SAID SUBDIVISION, N1°39'35"E, 264.45 FEET TO THE SOUTHEASTERLY CORNER OF SAID ROCK VALLEY PLAT 1; THENCE WITH THE SOUTHERLY LINES OF SAID ROCK VALLEY PLAT 1 AND LEAVING SAID EAST LINE, N89°00'45" W, 93.08 FEET; THENCE N42°52'00"W, 97.25 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, LEAVING SAID SOUTHERLY LINE, N50°01'15"E, 120.41 FEET; THENCE N63°44'20"E, 82.77 FEET; THENCE N50°35'30"E, 76.33 FEET; THENCE N67°45'05"E, 16.67 FEET, THE END OF THE DESCRIBED CENTERLINE, BEING N1°31'55"E, 60.90 FEET FROM THE EASTERNMOST CORNER OF SAID ROCK VALLEY PLAT 1, SAID STRIP CONTAINS 0.20 ACRES.

GREGORY L. & LINDA M. BARTELS
COUNTY HOUSE BRANCH TRAIL EASEMENT
BOOK 710, PAGE 48
PARCEL NO. 16-515-00-00-102.01-01

A STRIP OF LAND THIRTY (30) FEET WIDE ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 710, PAGE 48 AND

BEING ACROSS PART OF THE TRACT DESCRIBED BY THE SURVEY RECORDED IN BOOK 1036, PAGE 89, LOCATED IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING FIFTEEN (15) FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, WESTWOOD HILLS SUBDIVISION NO. 8 AS RECORDED IN PLAT BOOK 10, PAGE 25; THENCE WITH THE EAST LINE OF SAID SUBDIVISION, N1°39'35"E, 264.45 FEET TO THE SOUTHEASTERLY CORNER OF ROCK VALLEY PLAT 1, RECORDED IN PLAT BOOK 29, PAGE 2; THENCE WITH THE SOUTHERLY LINES OF SAID ROCK VALLEY PLAT 1, LEAVING SAID EAST LINE, N89°00'445"W, 93.08 FEET; THENCE N42°52'00"W, 97.25 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, LEAVING SAID SOUTHERLY LINE, S50°01'15"W, 69.66 FEET; THENCE S34°39'10"W, 138.07 FEET; THENCE S14°06'20"W, 37.29 FEET TO THE NORTH LINE OF SAID LOT 1, WESTWOOD 1, WESTWOOD HILLS SUBDIVISION NO. 8, THE END OF THE DESCRIBED CENTERLINE, BEING S87°49'00"W, 95.55 FEET FROM THE P.I. IN THE NORTH LINE OF SAID LOT 1, SAID STRIP CONTAINS 0.17 ACRES.

GREGORY L. & LINDA M. BARTELS
COUNTY HOUSE BRANCH TRAIL EASEMENT
WEST WOOD HILLS SUBD. NO. 8, LOT 1
BOOK 787, PAGE 732
PARCEL NO. 16-515-00-02-108.00-01

A STRIP OF LAND THIRTY (30) FEET WIDE ACROSS PART OF THE TRACT DESCRIBED BY THE TRUSTEE'S DEED RECORDED IN BOOK 787, PAGE 732 AND BEING ACROSS PART OF LOT 1, WESTWOOD HILLS SUBDIVISION NO. 8 AS RECORDED IN PLAT BOOK 10, PAGE 25, LOCATED IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING FIFTEEN (15) FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1, WESTWOOD HILLS SUBDIVISION NO. 8; THENCE WITH THE EAST LINE OF SAID SUBDIVISION, N1°39'35"E, 264.45 FEET TO THE SOUTHEASTERLY CORNER OF ROCK VALLEY PLAT 1, RECORDED IN PLAT BOOK 29, PAGE 2; THENCE WITH THE SOUTHERLY LINES OF SAID ROCK VALLEY PLAT 1, LEAVING SAID EAST LINE, N89°00'45"W, 93.08 FEET; THENCE N42°52'00"W, 97.25 FEET; THENCE LEAVING SAID SOUTHERLY LINE, S50°01'15"W, 69.66 FEET; THENCE S34°39'10"W, 138.07 FEET; THENCE S14°06'20"W, 37.29 FEET TO THE NORTH LINE OF SAID LOT 1, THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING CONTINUING S14°06'20"W, 13.58 FEET; THENCE S7°23'50"E, 76.41 FEET TO THE NORTH RIGHT-OF-WAY LINE OF CHAPEL

HILL ROAD, THE END OF THE DESCRIBED CENTERLINE, SAID STRIP CONTAINS 0.06 ACRES.

SECTION 2. The City Manager is authorized to acquire the land described in Section 1 by negotiation.

SECTION 3. The City Manager is authorized to obtain, execute and record all deeds and other instruments necessary to acquire the land described in Section 1.

SECTION 4. If the City cannot agree with the owners, or those claiming an interest in the land described in Section 1, on the proper compensation to be paid for such land, or if the owner is incapable of contracting, is unknown, or cannot be found, or is a non-resident of the State of Missouri, the City Counselor is authorized to petition the Circuit Court of Boone County, Missouri, to acquire the land described in Section 1 by condemnation.

SECTION 5. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2008.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

Source
John Glascock



TO: City Council
FROM: City Manager and Staff
DATE: September 8, 2008 
SUBJECT: Public Hearing, Easement Acquisition and Bid Call –
Completion of County House Branch Trail Using Non Motorized
Transportation Funds

Fiscal Impact

- Yes
- No

Other Info.

EXECUTIVE SUMMARY

Staff has prepared for Council consideration a Resolution setting a public hearing for October 6, 2008 concerning the completion of the County House Branch Trail. Staff has also prepared an Ordinance authorizing the acquisition of easements and an Ordinance calling for bids through the Purchasing Department. This project will be paid for using Non-Motorized Transportation funds.

DISCUSSION

In an effort to complete various transportation networks using non-motorized transportation funds, staff is moving forward with the easement acquisition for the County House Branch Trail project. Five (5) easements will be required.

Staff has also brought forward an ordinance authorizing a bid call through the Purchasing Department. The estimated construction cost of the project is \$774,880.00 and will be paid for using Non-Motorized Transportation funds.

Although a Public Hearing was held on this project October 2, 2006, a second public hearing is scheduled for October 6, 2008 to insure that the new federal acquisition rules are met. An agreement with Allstate Consultants, Inc. for engineering services relating to survey trail alignment and property boundaries for County House Branch was executed on February 5, 2007 and an Interested Party meeting was held on June 18, 2008. There were no adverse comments received.

SUGGESTED COUNCIL ACTION

If Council wishes to proceed with this project after the public hearing, the ordinance authorizing the acquisition of easements and the ordinance authorizing the bid call through the Purchasing Department should be approved.

Proposed County House Branch Trail REVISÉD 6-10-08
Twin Lakes Recreation Area - Stadium Blvd.

City of Columbia, MO Parks and Recreation



PROPOSED TRAIL 
NOT TO SCALE

COLLEGE PARK

STADIUM BLVD

CHAPEL HILL RD

TWIN LAKES
RECREATION
AREA

